

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Wednesday, April 1, 1998

DIVISION TWO

A075641 -- The People v. Robert Eugene Smith.

The judgment is affirmed. Kline, P.J. We concur: Haerle, J., Lambden, J.
(Not for Publication.)

A077406 -- Deloris Gipson v. City of Oakland, et al.

The appeal is dismissed. (Cal. Rules of Court, rule 10(c).)² Haerle, J. We
concur: Kline, P.J., Ruvolo, J. (Not for Publication.)

A077624 -- The People v. Michael Monday.

The judgment is affirmed. Haerle, J. We concur: Kline, P.J., Ruvolo, J.
(Not for Publication.)

**A080349 -- In re Aaron Dale G., a Person Coming Under the Juvenile
Court Law.**

The order adjudging appellant a ward of the court pursuant to Welfare and
Institutions Code section 602 and placing him in the home of his parents is
affirmed. Kline, P.J. We concur: Haerle, J., Ruvolo, J. (Not for Publication.)

Wednesday, April 1, 1998 (continued)

DIVISION THREE

A077465 -- In re Brian Gabriel M., a Person Coming Under the Juvenile Court Law.

AFFIRMED. Walker, J. We concur: Phelan, P.J., Corrigan, J. (Not for Publication.)

DIVISION FIVE

A078521 -- Curtis Allen v. Deborah Hermann.

A079415 -- County of Mendocino v. Jason Stevens.

Both judgments (Mendocino County Superior Court Nos. CV75312/CV75327 and CV73321) are reversed, and the matters remanded with directions to consolidate the actions and reconsider the issues of paternity, custody, visitation and support. Haning, J. We concur: Peterson, P.J., Jones, J. (Not for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Thursday, April 2, 1998

DIVISION ONE

A078138 -- Jose A. Najera II, a Minor, etc., et al. v. Aline Godon.

The order granting the injunction is reversed and the injunction is dissolved. Each party to bear its own costs on appeal. Strankman, P.J. We concur: Dossee, J., Swager, J. (Not for Publication.)

A078666 -- Carolyn J. Davis v. George Gagos et al.

The order is affirmed. Strankman, P.J. We concur: Stein, J., Dossee, J. (Not for Publication.)

DIVISION TWO

A080593 -- The People v. Maligi Tuitasi.

The judgment is affirmed. Lambden, J. We concur: Haerle, Acting P.J., Ruvolo, J. (Not for Publication.)

Thursday, April 2, 1998 (continued)

A082207 -- Litton Industries, Inc. v. The Superior Court of San Mateo County, Harold J. Hjelm, R.P.I.

By The Court: The petition for writ of mandate is denied without prejudice as premature in that no written order has been signed by the trial court in compliance with Code of Civil Procedure section 437c, subdivision (g). (See *Tera Pharmaceuticals, Inc. v. Superior Court* (1985) 170 Cal.App.3d 530, 532; *Continental Insurance Co. v. Superior Court* (1985) 165 Cal.App.3d 1069, 1071-1072; *Young v. Superior Court* (1986) 179 Cal.App.3d 28.) Kline, P.J.

DIVISION THREE

A071891 -- The People v. Robert E. Ray.

The judgment is reversed. Corrigan, J. We concur: Phelan, P.J., Parrilli, J. (Not for Publication.)

DIVISION FOUR

A074321 -- The People v. John Robert Gromo, Jr.

The trial court is ordered to correct the abstract of judgment as set forth in this opinion. As so modified, the judgment, including the sentence, is affirmed. Reardon, J. We concur: Hanlon, P.J., Poché, J. (Not for Publication.)

DIVISION FIVE

A068871 -- The People v. Michael Darnell Reesse.

The Court: The judgment is modified to impose two consecutive five-year enhancements (Pen. Code, § 667, subd. (a)(1)) and a consecutive one-year

Thursday, April 2, 1998 (continued)

enhancement (Pen. Code, § 667.5, subd. (b)), for a total term of 36 years to life. The superior court is directed to prepare an amended abstract of judgment reflecting this modification and forward a certified copy to the Department of Corrections. In all other respects the judgment is affirmed. Before Peterson, P.J.; Haning, J.; Jones, J. (Not for Publication.)

**A074154 -- California Service Station and Automobile Repair
Association et al. v. American Home Assurance Company.**

The judgment is affirmed. Haning, J. We concur: Peterson, P.J., Jones, J. (Certified for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

DIVISION THREE

Thursday, April 2, 1998

Court convened at 9:00 a.m. in its Courtroom at 303 Second Street, South Tower, Fourth Floor, San Francisco, California. Present: Phelan P.J., Parrilli, J., Corrigan., and C. Turner, Deputy Clerk.

- A077179 In re the Marriage of Casteel
 Robert L. Casteel III,
 v.
 Judy O. Casteel,
 Cause called and argued by Peter Loewenstein, counsel for appellant, and
 Bryce Anderson, counsel for respondent. Cause ordered submitted.
- A072015 Unisys Corporation,
 v.
 Cal Life & Health Insurance,
 Cause called and argued by Lawrence Berger, counsel for appellant, and
 James R. Willcox, counsel for respondent. Cause ordered submitted.
- A078417 McBail & Company, et al.,
 v.
 Solano County Local Agency Formation Committee,
 Cause called and argued by James Laughlin, counsel for appellant, and
 Gary Funamura, counsel for respondent. Cause ordered submitted
- A077969 .
 Craig L. Linden, et al.,
 v.
 Proven Alternatives, Inc., et al.,
 Cause called and argued by Harold E. Kahn, counsel for appellant, and
 Petram Reinecke, counsel for respondent. Cause ordered submitted.
- Court adjourned

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Friday, April 3, 1998 \

DIVISION ONE

A079410 -- Joel S. Coopersmith v. Skyline Realty et al.

The judgment is affirmed. Stein, J. We concur: Strankman, P.J., Dossee, J. (Not for Publication.)

DIVISION TWO

A077186 -- Melvin Haynes v. Bruce MacPhee, et al.

By The Court: The petition for rehearing is denied. Kline, P.J.

A078244 -- The People v. Jerry Gillies.

A081614 -- In re Jerry Gillies On Habeas Corpus.

The judgment is affirmed. The petition for a writ of habeas corpus is denied. Haerle, J. We concur: Kline, P.J., Lambden, J. (Not for Publication.)

A079088 -- In re Dartanyan R., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Ruvolo, J. We concur: Kline, P.J., Lambden, J. (Not for Publication.)

Friday, April 3, 1998 (continued)

DIVISION FOUR

A078680 -- Patricia A. McColm v. Westwood Park Association.

McColm's request for rehearing is denied. Hanlon, P.J. We concur: Poché, J., McGuinness, J. (Certified for Publication.)

A079696 -- The People v. Cammerin Boyd.

The judgment is affirmed. Hanlon, P.J. We concur: Poché, J., Reardon, J. (Not for Publication.)

A079811 -- The People v. Fujio Kirisawa.

The judgment is affirmed. McGuinness, J. We concur: Poché, Acting P.J., Reardon, J. (Not for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Monday, April 6, 1998

DIVISION ONE

**A077679 -- The Presley Companies v. Mt. Diablo Unified School
District et al.**

The judgment is affirmed. Strankman, P.J. We concur: Stein, J., Swager, J. (Not for Publication.)

A077870 -- Ken Nadjibi et al. v. Jack R. Goldstone.

The judgment is affirmed. The parties shall each bear their own costs on appeal and cross-appeal. Strankman, P.J. We concur: Dossee, J., Swager, J. (Not for Publication.)

DIVISION TWO

A074844 -- The People v. Lontay Robertson.

The judgment is affirmed. Haerle, J. We concur: Kline, P.J., Ruvolo, J. (Not for Publication.)

A076620 -- The People v. Michael Richard Jajeh.

By The Court: The petition for rehearing is denied. Kline, P.J.

A077998 -- George Nixon v. New United Motor Manufacturing, Inc.

By The Court: The petition for rehearing is denied. Kline, P.J.

Monday, April 6, 1998 (continued)

DIVISION THREE

A078417 -- McBail & Company et al. v. Solano County Local Agency Formation Commission.

We affirm the trial court's issuance of a peremptory writ of mandate vacating Resolution No. 96-12 and commanding reconsideration of McBail's petition for annexation. We reverse to the extent that the writ directs the manner in which LAFCO is to exercise its discretion in undertaking the reconsideration. Upon reconsideration, LAFCO has the discretion to approve or deny the petition, but must do so based upon articulated reasons which are rationally related to the purposes of the Act and which are supported by substantial evidence. Respondents to recover costs on appeal. Walker, J. We concur: Phelan, P.J., Corrigan, J. (Certified for Publication.)

A080094 -- The People v. Roger Forrest Formosa.

The judgment is affirmed. Walker, J. We concur: Phelan, P.J., Corrigan, J. (Not for Publication.)

A080388 -- The People v. Kenneth S. Finch.

The judgment is affirmed. Walker, J. We concur: Phelan, P.J., Parrilli, J. (Not for Publication.)

Monday, April 6, 1998 (continued)

DIVISION FIVE

A078569 -- In re Dustin L., a Person Coming Under the Juvenile Court Law.

Commissioner Grove's judgment finding that appellant violated Penal Code section 422 and ordering out-of-home placement for appellant is vacated and the matter remanded for further proceedings consistent with the views expressed in this opinion. Judge Dufficy's judgment finding that appellant violated probation is reversed and that matter is also remanded for further proceedings. Jones, J. We concur: Peterson, P.J., Haning, J. (Not for Publication.)

A081214/A081302 -- Clayton M. et al. v. The Superior Court of Lake County, Lake County Department of Social Services et al., R.P.I.

By The Court: The petitions for extraordinary relief are denied on the merits. (See Cal. Const., art. VI, § 14; *Kowis v. Howard* (1992) 3 Cal.4th 888.) Petitioners are barred in any subsequent appeal from making further challenges to the order terminating reunification services and setting a hearing under Welfare and Institutions Code section 366.26. (Welf. & Inst. Code, § 366.26, subd. (1).) Since the section 366.26 hearing is set for April 13, 1998, this opinion is final as to this court forthwith. (See Cal. Rules of Court, rule 24(d).) Before Peterson, P.J., Haning, J., and Jones, J. (Not for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Tuesday, April 7, 1998

DIVISION ONE

A075622 -- The People v. Demeterics Andru Drayton et al.

The trial court is directed to prepare and forward to the appropriate authorities a modified abstract of judgment for appellant Drayton reflecting that imposition of the two-year enhancement pursuant to section 12022.1, subdivision (b), is stayed. As amended, the judgment of conviction of appellant Drayton is affirmed. The judgment of conviction of appellant Sandifer is affirmed. Strankman, P.J. We concur: Stein, J., Swager, J. (Not for Publication.)

A080396 -- The People v. Fernando Loza Urcino.

The judgment is affirmed. Swager, J. We concur: Strankman, P.J., Stein, J. (Not for Publication.)

DIVISION TWO

A077559 -- Alliance Mortgage Company v. Laurie Samuel Rothwell et al.

The order sustaining Ticor's demurrer to the sixth cause of action for breach of fiduciary duty is affirmed. The orders granting Ticor's motion for summary adjudication on the first, second and fourth causes of action, for intentional misrepresentation, negligent misrepresentation and breach of contract, and the judgment dismissing the complaint entered on the basis of said orders, are reversed. The matter is remanded to the superior court for further proceedings consistent with the views set forth in this opinion. Kline, P.J. We concur: Lambden, J., Ruvolo, J. (Not for Publication.)

Tuesday, April 7, 1998 (continued)

A079128 -- The People v. Gene Alton Holder.

Given the passage of time and Holder having by now most likely served most of his prison term sentence, we will reverse with directions affording the People a choice of dispositions. (Cf. *People v. Edwards* (1985) 39 Cal.3d 107, 118; *People v. Springfield* (1993) 13 Cal.App.4th 1674, 1681-1682.) The judgment (case nos. C13194 & C11193) is reversed; if the People do not bring Holder to trial within 60 days after the remittitur is filed in the trial court (§ 1382, subd. (a)(2)), that court shall proceed as if the remittitur constituted a modification of the judgment to reflect a conviction of misdemeanor cohabitant battery (§ 243, subd. (e)(1)) and shall resentence Holder and redetermine his probation accordingly. Lambden, J. We concur: Haerle, Acting P.J., Ruvolo, J. (Not for Publication.)

DIVISION THREE

A075529 -- The People v. Mark Quiroz.

The judgment is affirmed. Parrilli, J. We concur: Corrigan, Actg. P.J., Walker, J. (Not for Publication.)

A078867 -- The Regents of the University of California et al. v. The Superior Court of San Francisco County, Tim Molloy et al., R.P.I.

Order Modifying Opinion, Granting Request for Judicial Notice and Denying Rehearing; By the Court: There is no change in judgment. Corrigan, Acting P.J. (Not for Publication.)

DIVISION FOUR

A078592 -- Darlene Bonanno, an Incompetent Person, etc. v. Central Contra Costa Transit Authority.

We reverse the judgment. Reardon, J. We concur: Poché, Acting P.J., McGuiness, J. (Not for Publication.)

Tuesday, April 7, 1998 (continued)

A078705 -- In re Tao Ray P., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Poché, J. We concur: Hanlon, P.J., McGuiness, J. (Not for Publication.)

A080750 -- In re Dahyn W., a Person Coming Under the Juvenile Court Law.

The dispositional order is affirmed. Poché, J. We concur: Hanlon, P.J., McGuiness, J. (Not for Publication.)

DIVISION FIVE

A080609 -- The People v. David Albert Morris.

The judgment is affirmed. Peterson, P.J. We concur: Haning, J., Jones, J. (Not for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Wednesday, April 8, 1998

DIVISION ONE

A078262 -- David Porter v. Department of Motor Vehicles.

The judgment is affirmed. Swager, J. We concur: Strankman, P.J., Stein, J. (Not for Publication.)

A080582 -- The People v. Manuel Barragan Escalera.

The judgment is affirmed. Strankman, P.J. We concur: Stein, J., Swager, J. (Not for Publication.)

DIVISION TWO

A079172 -- In re Roxanne Q., a person Coming Under the Juvenile Court Law.

The judgment dismissing the petition and terminating jurisdiction is reversed, and the court is directed to take whatever further action it deems advisable on remand, in light of the death of Roxanne's adoptive father, James Q. The remittitur shall issue forthwith. Lambden, J. We concur: Kline, P.J., Ruvolo, J. (Not for Publication.)

Wednesday, April 8, 1998 (continued)

DIVISION FIVE

A077925 -- The People v. Christopher Eugene Hales.

The judgment is affirmed. Jones, J. We concur: Peterson, P.J., Haning, J.
(Not for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Thursday, April 9, 1998

DIVISION ONE

A076956 -- The People v. Donald Lamont Allen.

The judgment is affirmed. Stein, J. We concur: Strankman, P.J., Swager, J. (Not for Publication.)

A077722 -- Nancy Marie Major v. The Regents of the University of California, et al.

The judgment is affirmed. Stein, Acting P.J. We concur: Dossee, J., Swager, J. (Not for Publication.)

A080599 -- The People v. Gerardo Guzman.

The judgment is affirmed. Swager, J. We concur: Strankman, P.J., Stein, J. (Not for Publication.)

DIVISION TWO

A076464 -- In re T.A.J., a Person Coming Under the Juvenile Court Law.

For the reasons stated in this opinion, the finding on the petition is affirmed. Ruvo, J. We concur: Kline, P.J., Haerle, J. (Certified for Publication.)

Thursday, April 9, 1998 (continued)

A077775 -- The People v. David Keith Zelinski.

By The Court: The petition for rehearing is denied. Ruvolo, Acting P.J.

A079539 -- Anne Kirueshkin v. Walter A. Varkin.

By The Court: The petition for rehearing is denied. Ruvolo, Acting P.J.

DIVISION THREE

A074243 -- The People v. Leland Adair Smith.

The matter is remanded for resentencing. The trial court is directed to exercise its discretion whether to impose consecutive sentences for defendant's assault conviction and his illegal possession of a firearm, and whether to dismiss any or all of defendant's prior felony convictions under the Three Strikes law. In all other respects, the judgment is affirmed. Corrigan, Act. P.J. We concur: Parrilli, J., Walker, J. (Not for Publication.)

A077089 -- In re the Marriage of Susan and Samuel Torres.

For all the foregoing reasons, the judgment of the trial court is affirmed. Phelan, P.J. We concur: Corrigan, J., Walker, J. (Certified for Publication.)

A077443 -- The People v. Lee Rogers Alexander.

Whether viewed individually or cumulatively, appellant's claims of error do not warrant reversal in this case. Accordingly, the judgment of conviction, including the sentence imposed by the trial court, is affirmed in its entirety. Phelan, P.J. We concur: Corrigan, J., Parrilli, J. (Not for Publication.)

Thursday, April 9, 1998 (continued)

DIVISION FOUR

A078258 -- Andrew J. Bell v. Wells Fargo Bank, N.A.

The summary judgment is reversed. Plaintiff shall recover his costs of appeal. Poché, J. We concur: Hanlon, P.J., McGuinness, J. (Certified for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Friday, April 10, 1998

DIVISION ONE

A076607 -- Trusco Tank, Inc. v. Lionsgate Corporation.

The judgment is affirmed. Stein, J. We concur: Strankman, P.J., Dossee, J. (Not for Publication.)

A078370 -- The People v. Wayne Clamon Gamblin.

The appeal is dismissed. Stein, J. We concur: Strankman, P.J., Dossee, J. (Not for Publication.)

DIVISION TWO

A075441 -- The People v. Tracy Shelly Smith.

The judgment is affirmed. Haerle, Acting P.J. We concur: Lambden, J., Ruvolo, J. (Not for Publication.)

A075828 -- The People v. Tony Alfonso Woods.

By The Court: It is ordered that the opinion filed herein on March 12, 1998, be modified in the following particulars: (See Order) The modification does not effect a change in the judgment.

The petition for rehearing is denied. Haerle, Acting P.J.

Friday, April 10, 1998 (continued)

A078374 -- Jerry Regan v. Bruce L. Simon et al.

We affirm the judgment. Respondents are awarded costs on appeal.
Lambden, J. I concur: Haerle, Acting P.J. See dissenting opinion of Ruvolo, J.
(Not for Publication.)

DIVISION FOUR

A078998 -- The People v. Jacinto Rosales.

The judgment is affirmed. Poché, Acting P.J. We concur: Reardon, J.,
McGuinness, J. (Not for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Monday, April 13, 1998

DIVISION ONE

**A078907 & A079505 -- Tracy Nelson v. Stewart-Glapat Corporation,
Federal Express Corporation.**

The judgments are affirmed. Strankman, P.J. We concur: Stein, J.,
Swager, J. (Not for Publication.)

A079265 -- The People v. Daryl Perry.

The judgment is affirmed. Stein, J. We concur: Strankman, P.J., Dossee,
J. (Not for Publication.)

DIVISION TWO

A078733 -- The People v. Randy Miguel V.

A080634 -- In re Randy Miguel V. on Habeas Corpus.

The judgment is affirmed, and the writ is denied. Ruvolo, J. We concur:
Kline, P.J., Haerle, J. (Not for Publication.)

Monday, April 13, 1998 (continued)

DIVISION THREE

A075232 -- Daniel C. Bridges v. Beverly Bridges, as Cotrustee and Special Administrator, etc., et al.

The judgment is affirmed. Corrigan, J. We concur: Phelan, P.J., Walker, J. (Not for Publication.)

DIVISION FOUR

A079426 -- Diane Taylor v. City of San Rafael.

The judgment sustaining the City's demurrer to the conversion cause of action is reversed. In all other respects the judgment is affirmed. Parties to bear their own costs on appeal. Reardon, J. We concur: Hanlon, P.J., McGuinness, J. (Not for Publication.)

A080653 -- In re Chester L., a Person Coming Under the Juvenile Court Law.

Judgment affirmed. Reardon, J. We concur: Hanlon, P.J., McGuinness, J. (Not for Publication.)

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Tuesday, April 14, 1998

DIVISION ONE

A081509 -- In re Patricia a. McColm on Habeas Corpus.

A081280 -- In re Patricia A. McColm on Habeas Corpus.

The order finding Patricia McColm in indirect contempt of court on the basis of her conduct on August 20, 1997 is affirmed. The order of direct contempt is annulled. The stay of the indirect contempt order previously imposed by this Court shall remain in effect until this opinion becomes final as to this Court. (Cal. Rules of Court, rule 24(a).) Stein, J. We concur: Strankman, P.J., Swager, J. (Not for Publication.)

DIVISION TWO

A080947 -- The People v. Gerald Buster Perez.

A081536 -- In re Gerald Buster Perez, on Habeas Corpus.

The judgment is affirmed. The petition for writ of habeas corpus is denied. Ruvolo, J. We concur: Kline, P.J., Lambden, J. (Not for Publication.)

A082260 -- James H. Coffey v. The Superior Court of Solano County, Prem Golian, et al., R.P.I.

By The Court: The petition for writ of mandate/prohibition is denied. Haerle, Acting P.J.

Tuesday, April 14, 1998 (continued)

A082308 -- Heroe Prince v. The Superior Court of Alameda County, The People of the State of California, R.P.I.

By The Court: The petition for writ of mandate/prohibition is denied. Haerle, Acting P.J.

A082315 -- Patrick A. Martinez v. The Superior Court of Del Norte County, The California Department of Corrections R.P.I.

By The Court: The petition for writ of mandate/prohibition is denied. Haerle, Acting P.J.

A082323 -- Richard London v. The Superior Court of Solano County, The California Department of Corrections R.P.I.

By The Court: The petition for writ of mandate is denied. Haerle, Acting P.J.

DIVISION FOUR

A078229 -- Laguna Hermosa Corporation et al. v. County of Napa et al.

The summary judgment is reversed on the fourth cause of action, solely as to plaintiff Laguna Hermosa Corporation, and on the sixth cause of action, solely as to plaintiff Robert White. The judgment is affirmed in all other respects. The parties shall bear their respective costs of appeal. Poché, Acting P.J. We concur: Reardon, J., McGuiness, J. (Not for Publication.)

A081158 -- The People v. Rudy Adiel Diaz.

The judgment is affirmed. Hanlon, P.J. We concur: Poché, J., McGuiness, J. (Not for Publication.)

Courtroom Minutes
Division 4
Tuesday April 14, 1998

Court convened at 9:30 a.m. in its courtroom at 303-2nd Street, 4th Floor, San Francisco. Present: Hanlon, P.J., Reardon, J., McGuiness, J., Jim Campbell, Deputy Clerk and CHP Officer C. Reese, Bailiff.

A075672 People
 plaintiff/respondent
 v.
 Alfred Hebner
 defendant/appellant

Cause called. Teri Sklar argued on behalf of appellant Alfred Hebner. Gregg Lowder, D.A.G., argued on behalf of respondent. Cause submitted.

A075898 People
 plaintiff/respondent
 v.
 Karl Wesley Archie
 defendant/appellant

Cause called. Michael Dashjian argued by telephone conference on behalf of appellant Karl W. Archie. Raymond Cardozo, D.A.G., argued on behalf of respondent. Cause submitted.

A079730 In re the Marriage of Major
 Julie Major
 respondent
 v.
 Tibor Major
 appellant

Cause called. Tibor Major argued on behalf of appellant in propria persona. Bernard Wolf argued on behalf of respondent. Cause submitted.

A078204 Henry McGee et al.
 plaintiffs/appellants
 v.
 City of Oakland et al.
 defendants/respondents
 Thomas Fratar et al.
 real parties in interest/respondents

Cause called. Lance Stryker argued on behalf of appellants, himself, in propria persona, Henry McGee et al. Curtis Kidder argued on behalf of respondents. Harold Jaffe argued on behalf of the real parties in interest. Cause submitted.

The Court adjourned at 11:05 a.m.